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4 MR. THISTLETHWAITE: I'm Chuck Thistlethwaite,
5 Planning Director of Inyo County, California. I'm also
6 executive officer of the Inyo County Local Agency Formation
7 Commission, which coordinates the formation and services of
8 special districts here in Inyo County.

9 I would first like to briefly talk about
10 DOE's NEPA responsibilities. Federal agencies must
11 integrate the NEPA process with other environmental laws
12 and list in the DEIS all federal permits, licenses, and
13 other entitlements needed by the proposed action. To the
14 fullest extent possible, agencies are encouraged to
15 integrate the NEPA processes with the review process
16 established by these other laws (40 CFR 1502.25(a)). These
17 include Section 4(f) of the Transportation Act of 1966 (49
18 USC 303), the Comprehensive Environmental Response and
19 Liability Act of 1980 (43 USC 9601), and the Resource
20 Conservation and Recovery Act of 1976 (42 USC 692).

21 The context and significance of the proposed
22 action, including the unique characteristics, the degree of
23 controversy, cumulative and related effects are not
24 adequately addressed as required in the DEIS as required by
25 (40 CFR 1508.27).

1

2... 1 Secondary, I would like to comment on
2 emergency response. [The communities along Highway 127
3 constitute the most isolated populations in Inyo County,
4 perhaps in California. Assistance with roadway incidents
5 must come from the Inyo County Sheriff's unit at Shoshone,
6 Park Service Rangers dispatched out of Cow Creek near
7 Furnace Creek, or California Highway Patrol units also
8 coming out of Death Valley or out of Pahrump, Nevada. Some
9 sections of Highway 127 are within a few minutes of law
10 enforcement or fire suppression, but most of the route lies
11 one to three hours from any public assistance. To deal
12 with major roadway incidents, county sheriff units are sent
13 from Lone Pine, three hours away from the closest segment
14 of Highway 127.

15 A single Volunteer Fire Protection District,
16 that is at present without funding, serves Tecopa,
17 Shoshone, and Death Valley Junction. In California new
18 taxes must be passed by a two-thirds majority, and just
19 this Tuesday an election on a parcel tax to keep the
20 district functioning failed.

21 In cases of a serious toxic or radiological
22 release in Inyo County, special response teams have to be
23 brought in from either San Bernardino or Bakersfield, a
24 process which takes a minimum of four hours, assuming that
25 the response team is not occupied elsewhere.

2 cont. 1 The closest medical facility of any note is
2 in Pahrump, which is a minimum of 30 minutes from the
3 closest segments of the road and several hours away from
4 the furthest. The nearest hospital facilities are located
5 in Las Vegas.

3... 6 The southeast county has recently seen
7 several highway accidents involving non-nuclear hazardous
8 waste. One leaking incident with a leaking toxic waste
9 truck resulted in the responders being exposed to toxic
10 levels of waste, followed by hospitalization and ongoing
11 medical treatment. The time delay in getting toxic waste
12 expertise into the region was the reason for the severity
13 of the incident.

14 In another area, a hazardous waste truck
15 failed to negotiate a turn near a rest stop, rolled over,
16 and crushed a picnic facility. Our confidence in truck
17 transportation for dangerous materials on remote, narrow,
18 two-lane roads is not high. Unfortunately, the DEIS is
19 silent on this issue.

20 Road conditions. State Highway 127 itself
21 is not an engineered route. Most of it originated as a
22 historic wagon trail that was paved over a period of time.
23 Inyo County's recent survey of this route, from its
24 junction in the south with Interstate 15 in Baker to its
25 junction with US Highway 95 in the north, revealed many

3 cont.

1 unbanked, unsigned, high-speed turns, numerous blind rises
2 where visibility is limited, sustained grades in excess of
3 modern standards, and dozens of washes that cross both
4 under and over the pavement. The route passes through four
5 towns, two of which include sharp 90-degree turns in the
6 middle of town.

7 In the event of an incident, there are few
8 alternative routes useful to diverting commercial and
9 passenger traffic around accident or cleanup sites. For
10 long sections of Highway 127, there's no alternative route
11 whatsoever.

12 Future development. There are approximately
13 1,000 acres of land in the vicinity of Death Valley
14 Junction that are proposed for release to the
15 Timbisha-Shoshone tribe for their use. If developed to
16 mixed residential and commercial uses, this territory could
17 host an unknown number of additional residents and
18 contribute significantly to traffic on Route 127.

19 During the period of emplacement, it is
20 reasonably foreseeable for development densities on private
21 lands located in Inyo County to approach those of the
22 Pahrump Valley. This also will result in an unknown number
23 of additional residents and contribute significantly to
24 route traffic on 127.

25 The EIS's treatment of the State Route 127

3 cont. 1 corridor is also of concern. The status of the corridor
2 with respect to Yucca Mountain shipments is not addressed
3 in any meaningful fashion by the EIS. We don't see any
4 mitigation in the EIS to compensate for the hazard which
5 the waste would impose upon responders, travelers, and
6 residents of this region. Conditions on possible primary
7 and secondary routes in California are not evaluated, and
8 no attempt is made to develop and weigh alternatives for
9 getting nuclear waste originating in California into Yucca
10 Mountain.

11 As it stands, the isolation and current
12 configuration of the southeast county's roadways cannot
13 reasonably and safely support the demands of the 25-year
14 nuclear waste transport campaign. The EIS provides
15 insufficient information to allow us to assess repository
16 operations on county residents or determine our risk in the
17 larger context of the national transportation effort.

18 Unless State Route 127 is officially
19 dismissed from consideration for transport of high-level
20 waste and spent nuclear fuel, the Draft Environmental
21 Impact Statement, at a minimum, needs to be amended to
22 evaluate the risks associated with the route, proposed
23 measures to offset those risks, and identify the expected
24 source of funding for those mitigation measures.

25 Thank you.